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**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH
CENTRAL DIVISION**

IN RE:
DARKO SEGOTA

Debtor

CASE NO: 11-32953

Chapter 13

Judge JOEL T. MARKER

TRUSTEE'S MOTION TO DISMISS

Kevin R. Anderson, Standing Chapter 13 Trustee for the District of Utah, hereby moves the Court under 11 U.S.C. § 1307(c) and Local Rule 1007-1(a)(2) and 2083-1(f) for an order dismissing this case due to the Debtor's failure to timely comply with the provision of the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, and/or the Local Rules.

1. The Debtor filed a Chapter 13 petition on September 02, 2011, and the 341 Meeting is scheduled for October 07, 2011.
2. The following required document(s) were not filed with the bankruptcy court within 14 days of the petition date, as required by Bankruptcy Rule 1007 and/or 3015(b):

A Chapter 13 Plan using the mandatory Model Plan form (see § 1321; Bankr. Rule 3015(b); Local Rule 1007-2(a)(2) and 2083-1(a)); and Appendix G to the Local Rules).

3. Because the required bankruptcy papers were not timely filed, the Trustee will be unable to adequately review this case before the 341 Meeting so that a complete and meaningful examination of the Debtor can be conducted. Therefore, the Trustee will call but **not conduct** the 341 Meeting scheduled for

October 7, 2011 11:00 am. However, the Debtor must still make the first Chapter 13 plan payment to the Trustee on or before the first scheduled 341 Meeting (see Local Rule 2083-1(b)).

4. Pursuant to Local Rule 2083-1(f), you must file an objection to this with the bankruptcy court within 21 days after service of the motion, or the bankruptcy court clerk must enter an order dismissing the case. Unless otherwise directed by the court, this motion will be heard at the confirmation hearing scheduled for November 15, 2011.

WHEREFORE, the Trustee moves this Court for the entry of an order dismissing this case under 11 U.S.C. § 1307(c).

DATED: 10/05/2011

KRA /S/
KEVIN R. ANDERSON
CHAPTER 13 TRUSTEE

CERTIFICATE OF MAILING

The undersigned hereby certifies that true and correct copy of the foregoing Trustee's Motion to Dismiss was served upon all persons entitled to receive notice in this case via ECF notification or by U.S. Mail to the following parties on October 05, 2011:

DARKO SEGOTA, 7432 SOUTH MAGIC VIEW CIRCLE, SALT LAKE CITY, UT 84121

Brian W. Steffensen, Steffensen Law Office, 448 East 400 South, Suite 100, Salt Lake City, UT 84111

/s/

Office of Chapter 13 Trustee